



NEOMTRX.004A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant | : | Morton, K. |
| Appl. No. | : | 09/870,402 |
| Filed | : | May 30, 2001 |
| For | : | NONINVASIVE INTRADUCTAL FLUID DIAGNOSTIC SCREEN |
| Examiner | : | Davis, R. |
| Art Unit | : | 1651 |

DECLARATION UNDER 37 CFR §1.132

OF KEVIN MORTON

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Kevin Morton, declare as follows:

1. I am a citizen of the United States, residing at 33 Lewiston Court, Ladera Ranch, California 92694, and I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "NONINVASIVE INTRADUCTAL FLUID DIAGNOSTIC SCREEN"; the specification of which was filed on May 30, 2001 as Application Serial No. 09/870,402.

2. I believe that I am the original, first and sole inventor of the subject matter which is claimed in U. S. Patent No. 6,517,513 entitled "INTRADUCTAL BREAST FLUID ASPIRATION DEVICE" which issued on February 11, 2003. U. S. Patent No. 6,517,513 incorrectly lists Chandice Covington as a joint inventor. The application as filed corresponding to U. S. Patent No. 6,517,513 listed Chandice Covington and Kevin Morton as joint inventors. During prosecution of the patent application corresponding to U. S. Patent No. 6,517,513, the claims were amended from their original form. Chandice Covington did not contribute to the

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claims as amended corresponding to those of the issued patent. Attached as Exhibit A is a Petition under 37 C.F.R. § 1.324 For Correction of Inventorship of U.S. Patent to list Kevin Morton as the sole inventor of U. S. Patent No. 6,517,513.

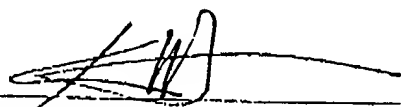
3. I hereby state that the portions of U. S. Patent No. 6,517,513 relevant to the present application originated with or were obtained from me, the Applicant, and not from Chandice Covington.

4. The inventorship of the present application is correct in that U. S. Patent No. 6,517,513 discloses subject matter derived from me, the Applicant, rather than invented by Chandice Covington. Chandice Covington did not contribute to the conception of the invention as presently claimed.

5. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

6. The undersigned Applicant declares further that all the statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6-30-04



Kevin Morton

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